

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 1, 2004**

No minutes for this date.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 2, 2004**

CIVIL            SARAH JANE SCHAUER  
No.                v.  
G033254        BLACK, STARR & FROST

Order filed. Pursuant to rule 23(e)(1) of the California Rules of Court, submission of the above-entitled matter is vacated so the court may consider an unbriefed issue. The parties are invited to file supplemental briefs limited to the following issue: Assuming plaintiff has standing as a third party beneficiary of the contract between defendant and Erstad, do defendant's alleged representations constitute an express warranty to Erstad, do defendant's alleged representations constitute an express warranty to Erstad pursuant to the provisions of California Uniform Commercial Code section 2313? The briefs shall be filed no later than November 16, 2004. The case will be resubmitted on that date.

Rylaarsdam, Acting P.J.

I concur:       Ikola, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 3, 2004**

No minutes for this date.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 4, 2004**

CIVIL  
No.  
G034129

ORANGE COUNTY  
SOCIAL SERVICES AGENCY  
v.  
ALONDRA F.

Not for publication

Opinion filed. Judgment reversed and remanded.

Sills, P.J.

We concur: Rylaarsdam, J.  
O'Leary, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 5, 2004**

No minutes for this date.